

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MARIA ZORAIDA SANCHEZ, et al.,

Plaintiffs

vs.

COMMONWEALTH OF PUERTO RICO,
DEPARTMENT OF EDUCATION, et al.,

Defendants

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CIVIL NO. 05-1559 (JP)

ORDER

The court reconsiders its order at docket number 20, and **VACATES** it. The court **GRANTS IN PART AND DENIES IN PART** the motion to dismiss (**No. 19**). The plaintiffs' claims under the Civil Rights Act of 1964 must be dismissed, because the plaintiffs do not state claims of discrimination based on race, color, religion, and national origin. See 42 U.S.C. § 2000a. Judgment will be entered dismissing these claims with prejudice. However, the defendants' only argument regarding dismissal of the claims arising under Puerto Rico law is that they should be dismissed for lack of supplemental jurisdiction. This argument fails, because claims under the Individuals with Disabilities in Education Act, the Americans with Disabilities Act, the Rehabilitation Act, and 42 U.S.C. Section 1983 remain pending.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 3rd day of March, 2006.

s/Jaime Pieras, Jr.
JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE